

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
REQUEST FOR FILING APPLICATION UNDER 37 C.F.R. 1.53(b)  
WITHOUT FILING FEE AND/OR WITHOUT EXECUTED INVENTOR'S DECLARATION**

**Mail Stop Patent Application**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Atty. Dkt. 1579-872

Date: December 15, 2003

31353 U.S.PTO  
10/734582



121503

This is a request for filing a new PATENT APPLICATION under Rule 53(b) entitled:  
**A METHOD OF BLOCKING PATHOGEN INFECTION**

without a filing fee and/or without an executed inventor's oath/declaration.

This application is made by the below identified inventor(s). Attached hereto are the following papers:

- Newly executed Declaration,  Copy of Declaration from prior application,  Abstract  
 Please delete the following inventors in the continuation/division/continuation-in-part application:

**Deleted persons:**

44 pages of specification and claims (including 15 numbered claims), and  
9 sheets of accompanying drawing/s.

Attached is a Power of Attorney.

Priority is hereby claimed under 35 U.S.C. § 119 based on the following foreign applications:

<b>Application Number</b>	<b>Country</b>	<b>Day/Month/Year Filed</b>
---------------------------	----------------	-----------------------------

- , respectively, the entire content of which is hereby incorporated by reference in this application..  
 Certified copy(ies) of foreign application(s) is/are attached.  
 Certified copy(ies) filed on \_\_\_\_\_ in prior application no. \_\_\_\_\_ filed \_\_\_\_\_  
 This application claims the benefit of Provisional Application No. 60/507,088, filed October 1, 2003 and Provisional Application No. 60/432,989, filed December 13, 2002, the entire contents of which are hereby incorporated by reference in this application.  
 This application is a  continuation/ division/ continuation-in-part of Application No. \_\_\_\_\_, filed \_\_\_\_\_, the entire content of which is hereby incorporated by reference in this application.  
 Petition filed in prior application to extend its life to insure co-pendency.  
 The prior application is assigned to \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_.  
It is hereby requested that the Examiner consider the art cited in the above parent application(s) by applicant and/or the Examiner for the reasons stated therein. A listing of that art is attached, but pursuant to Rule 98(d) copies are not required.  
 Applicant claims "small entity" status.  "Small entity" statement attached.  
 Please enter the attached and/or below preliminary amendment **prior** to calculation of filing fee:  
 Also attached:  Information Disclosure Statement;  Non-Publication Request;  Nucleotide and/or Amino Acid Sequence Submission;  Statement deleting Inventor(s) named in prior application;  Other:

1.	Inventor:	Ann Marie (first)	PENDERGAST (last)	U.S.A. (citizenship)
Residence: (city)	Durham	MI	(state/country) North Carolina	
Mailing Address:	c/o Duke University, Office of Science and Technology, Box 90083, Durham, North Carolina			
(Zip Code)	27708			

2.	Inventor:	Elizabeth (first)	BURTON (last)	U.S.A. (citizenship)
Residence: (city)	Durham	MI	(state/country) North Carolina	
Mailing Address:	c/o Duke University, Office of Science and Technology, Box 90083, Durham, North Carolina			
(Zip Code)	27708			

**See attached sheet(s) for additional inventor(s) information!!**

Address all future communications to **NIXON & VANDERHYE P.C., 1100 North Glebe Road, 8<sup>th</sup> Floor, Arlington, VA 22201.**  
Correspondence Address:

**Customer Number:**

**23117**

By Atty: Mary J. Wilson, Reg. No. 32,955

Telephone: (703) 816-4000

Faxsimile: (703) 816-4100

MJW:tat

Signature:

*Mary J. Wilson*